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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 LANCE P. McDERMOTT,

10 Plaintiff,

11 v.

12 JOHN E. POTTER, *et al.*,

13 Defendants.
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Case No. C09-0776RSL

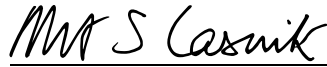
ORDER DENYING MOTION
FOR WAIVER OF SERVICE;
GRANTING REQUEST TO
AMEND COMPLAINT

16 This matter comes before the Court on plaintiff's motion for waiver of service under
17 Federal Rule of Civil Procedure 4(d)(4). The rule permitting a waiver of service, however, is
18 inapplicable in this case because plaintiff has not sued an "individual, corporation, or
19 association." Fed. R. Civ. P. 4(d)(1). Rather, he has sued government entities; serving
20 government entities is governed by Federal Rule of Civil Procedure 4(i). Plaintiff must follow
21 the procedure set forth in that rule to effect service on the defendants in this case. Therefore,
22 plaintiff's request for a waiver of service (Dkt. #13) is DENIED.

23 Plaintiff's motion also requests to name Eric Holder, the United States Attorney General,
24 as a defendant. Plaintiff has not previously amended his complaint, and the Federal Rules of
25 Civil Procedure permit him to do so once as a matter of course. Fed. R. Civ. P. 15(a)(1).
26 Therefore, plaintiff may serve and file an amended complaint that includes all of his allegations
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1 and adds Attorney General Holder as a defendant. If filed, the amended complaint will
2 supercede the original complaint.

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4 DATED this 27th day of July, 2009.

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7 Robert S. Lasnik
8 United States District Judge
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